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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,935	07/18/2003	Helmut Kreller	1954/0M900US0	2993
7278	7590	03/14/2007		
DARBY & DARBY P.C. P. O. BOX 5257 NEW YORK, NY 10150-5257			EXAMINER GARCIA, ERNESTO	
			ART UNIT	PAPER NUMBER
			3679	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
2 MONTHS		03/14/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)	
	10/622,935	KRELLER, HELMUT	
	Examiner	Art Unit	
	Ernesto Garcia	3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-15, 17-21, 23 and 24 is/are pending in the application.
- 4a) Of the above claim(s) 6-15, 20 and 23 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 2-5, 17-19, 21 and 24 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This application is in condition for allowance except for the following formal matters:

Withdrawn claims 6-15, 20, and 23, require cancellation.

Claim Objections

Claims 2, 3, 17, 18, and 24 are objected to because of the following informalities:

regarding claim 2, "at least one of" in lines 18 and 22 is improper because there is no disclosed embodiment wherein both "positive" and "non-positive" connections occur simultaneously. It is also unclear how both can be present simultaneously. Further, the comma in line 21 should be located after the first occurrence of "profile" in line 21 not the second where it currently is;

regarding claim 3, line 6, note the "at least one of a" language which should be corrected in accordance with the correction made for claim 2;

regarding claim 17, it is suggested that a comma be inserted after "system" in line 1, and --further-- should be inserted after "apparatus" in line 9 since the framework is part of the coupling apparatus, "at least one of" in lines 16 and 21 is improper as advanced above for claim 2;

regarding claim 18, lines 5-6, note the use of the "at least one of" language;

regarding claim 24, it is suggested that a comma be inserted after "scaffolding" in line 1, --corner-- should be inserted before "region" in line 4 to provide antecedent basis for "the corner region in line 5--", and --further-- should be inserted after "apparatus" in line 9, "the frame strut" in line 11 should be --one of the frame struts-- since the limitation does not indicate which one has the coupling unit, "at least one of" in line 16 is improper as previously advanced. The recitation "a connecting profile" in line 18 is vague and indefinite because it is not known what element is being referred to. The recitation "unit" in line 20 should be --element-- since the frame tube is connected in the first coupling element of the second coupling unit as purportedly recited in line 14. The recitation "the further coupling unit" in line 21 should be --the second coupling unit-- as the frame tube is connected in the first coupling element of the second coupling unit. Further, "a coupling unit" in line 23 should be --the first coupling unit-- as the elected species has the first coupling unit arranged in the corner recess of the corner plate.

Conclusion

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

Art Unit: 3679

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ernesto Garcia whose telephone number is 571-282-7083. The examiner can normally be reached from 9:30-5:30. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached at 571-272-7087.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

E.G.

E.G.

March 12, 2007



DANIEL P. STODOLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3800